Applicant

: .

John S. Blanchard

Appl. No.

10/547,307

Filed

April 20, 2009

### **REMARKS**

Claims 1-6, 10, 11, 14, 15, 17-23, 26, 103 and 106 were pending in the subject application. By this amendment, Claims 1-6, 10, 11, 14, 15, 17-23, 26, 103 and 106 have been canceled without prejudice or disclaimer to applicant's right to pursue prosecution of these claims in a later-filed continuation application, and new Claims 123-142 have been added. New Claims 123-142 are supported by the specification and claims as filed and do not introduce new matter. Accordingly, entry of new Claims 123-142 is respectfully requested.

## **Objections**

The Examiner objected to the title as not being descriptive. The title as been amended above. In view of this amendment, this objection is believed to be moot.

The Examiner also objected to the abstract for not being directed to the currently claimed invention. A replacement abstract is attached as Appendix 1. In view of this replacement abstract, this objection is also believed to be moot.

#### 35 U.S.C. 112 Rejection

Claims 1-6, 10, 11, 14, 15, 17-23, 26, 103 and 106 were rejected under 35 U.S.C. 112, second paragraph as indefinite. It is believed that new Claims 123-142 are clear and definite, and obviate this rejection. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

# 35 U.S.C. 102 Rejection

Claims 103 and 106 were rejected under 35 U.S.C. 102(b) as anticipated by McCarthy. Claims 103 and 106 have been canceled hereinabove, rendering this rejection moot. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Applicant

John S. Blanchard

Appl. No.

:

10/547,307

Filed

April 20, 2009

## Conclusion

In view of the amendments and remarks made hereinabove, reconsideration and withdrawal of the rejections set forth in the July 23, 2009 Office Action and passage of the pending claims to allowance are respectfully requested. If there is any minor matter preventing the allowance of the subject application, the Examiner is requested to telephone the undersigned attorney.

No fee, other than the \$245 two month extension of time fee, is deemed necessary in connection with the filing of this Amendment. However, if any additional fee is required to preserve the pendency of the subject application, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 01-1785. Overpayments may also be credited to Deposit Account No. 01-1785.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN LLP Attorneys for Applicant

Attorneys for Applican
90 Park Avenue

New York, NY 10016

(212) 336-8000

Dated:

New York, New York

December 18, 2009

Bv:

Craig J. Arnold

Registration No. 34,287